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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AUG 08 2001

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

UNITED STATES  
DEPARTMENT OF ENERGY,

Defendant.

NO. CT-99-5076-EFS

SECOND AMENDMENT TO  
CONSENT DECREE

WHEREAS, on September 29, 1999, the Court entered a Consent Decree in which Plaintiff State of Washington, Department of Ecology ("State") and Defendant United States Department of Energy ("DOE") agreed to resolve potential litigation between the State and DOE regarding certain missed milestones as well as other remaining milestones in the Hanford Federal Facility Agreement and Consent Order ("HFFACO") (entered May 15, 1989) in the interim stabilization series (M-41) and to establish a judicially enforceable

SECOND AMENDMENT TO  
CONSENT DECREE - 1

RECEIVED

JUL 27 2001

CLERK, U.S. DISTRICT COURT  
SPOKANE, WASHINGTON

ATTORNEY GENERAL OF WASHINGTON  
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1 schedule for pumping liquid radioactive hazardous waste from single-shell  
2 tanks as identified in the schedule in Section IV-A of the Consent Decree;

3 WHEREAS, on September 29, 2000, the Court entered the First  
4 Amendment to the Consent Decree, adding certain additional provisions  
5 pertaining to awarding a contract for design and construction of a waste  
6 treatment and vitrification Complex;

7 WHEREAS, the schedule in Section IV-A of the Consent Decree is fully  
8 set forth in Attachment A to the Consent Decree, and requires that "[n]o later  
9 than December 30, 2000, DOE will determine whether the organic layer and  
10 pumpable liquids will be pumped from Tank C-103 together or separately, and  
11 will establish a deadline for initiating pumping of this tank"; and

12 WHEREAS, on December 20, 2000, DOE determined that the bulk of the  
13 separable organic layer in Tank C-103 will be transferred separately from the  
14 other pumpable liquids and established a deadline of April 30, 2003 for  
15 initiating pumping of Tank C-103,

16 NOW THEREFORE, it is hereby ordered, adjudged, and decreed as  
17 follows: The provisions of Attachment A to the Consent Decree pertaining to  
18 Tank C-103 are hereby deleted and replaced with the following:


19

Tank Designation	Pumping Initiated	Projected Pumping Completion Date
20 29. C-103	April 30, 2003	December 30, 2003

21  
22

1 This Second Amendment to Consent Decree shall be effective upon the  
2 date of its entry by the Court.

3 DATED this 8<sup>th</sup> day of August 2001.

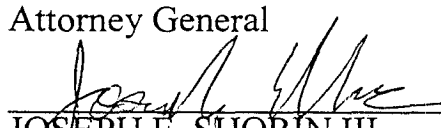
4   
United States District Judge

5  
6 FOR THE WASHINGTON STATE  
DEPARTMENT OF ECOLOGY

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